



# CITY OF LODI

## COUNCIL COMMUNICATION

AGENDA TITLE: Communications (June 30, 1993 through July 14, 1993)

MEETING DATE: July 21, 1993

PREPARED BY: City Clerk

### RECOMMENDED ACTION:

#### AGENDA ITEM

#### RECOMMENDATION

Set Public Hearing for September 1, 1993 for appeal received from Marlo Kerner & Associates regarding Planning Commission's denial of its request to amend P-D(21), Planned Development District No. 21 (Lakeshore Village), by modifying the permitted uses to allow a restaurant with a cocktail lounge at 1750 West Kettleman Lane (APN 058-160-86).

#### BACKGROUND INFORMATION:

The following communication was received between the dates of June 30, 1993 and July 14, 1993.

The attached letter (marked Exhibit A) was received from Marlo Kerner & Associates appealing the Planning Commission's denial of its request to amend P-D(21), Planned Development District No. 21 (Lakeshore Village), by modifying the permitted uses to allow a restaurant with a cocktail lounge at 1750 West Kettleman Lane (APN 058-160-86).

It is requested that the City Council set this matter for Public Hearing at the regular City Council meeting of September 1, 1993.

FUNDING: None required.

  
Jennifer M. Perrin  
City Clerk

JMP

COUNCOM8/TXTA.02J/COUNCOM

APPROVED: \_\_\_\_\_

THOMAS A. PETERSON  
City Manager



recycled paper

CC-1

EXHIBIT A

RECEIVED

JUL 01 PM 2:18

July 1, 1993

Jennifer Perrin  
City Clerk  
P.O. Box 3006  
Lodi, CA 95241-1910

Dear Ms. Perrin,

At its meeting of Monday, June 14, 1993 the Lodi City Planning Commission denied our request to amend P-D(21), Planned Development District No. 21 (Lakeshore Village), by modifying the permitted uses to allow a restaurant with a cocktail lounge at 1750 West Kettleman Lane (APN 058-160-86).

Please accept this letter as notice that we would like to appeal this decision to the City Council at its earliest convenience (with the exception of August 4, 1993).

Sincerely,

Marlo Kerner

MARLO KERNER & ASSOCIATES  
2 Henry Adams Street, M-50  
San Francisco, CA 94103  
(415) 626-3326

P. O. Box 1890  
Lodi, California 95241  
Phone (209) 368-0691  
FAX (209) 368-0691

CITY OF LODI  
221 WEST PINE STREET  
LODI, CALIFORNIA 95240

ADVERTISING INSTRUCTIONS

SUBJECT: NOTICE OF PUBLIC HEARING - APPEAL OF PLANNING COMMISSION  
DENIAL OF REQUEST FROM MARLO KERNER & ASSOCIATES

PUBLISH DATES: SATURDAY, JULY 24, 1993

TEAR SHEETS WANTED: THREE

AFFIDAVIT AND BILL TO:

JENNIFER M. PERRIN, CITY CLERK

DATED: JULY 21, 1993

ORDERED BY:

*Peggy Nicolini*  
PEGGY NICOLINI  
DEPUTY CITY CLERK

DECLARATION OF MAILING

On July 22, 1993 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

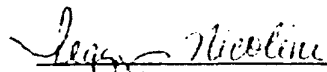
I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 22, 1993, at Lodi, California.

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Jennifer M. Perrin  
City Clerk

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Peggy Nicolini  
Deputy City Clerk

**CITY OF LODI**

**CARNEGIE FORUM**  
305 West Pine Street, Lodi

**NOTICE OF PUBLIC HEARING**

Date: September 1, 1993

Time: 7:00 p.m.

For information regarding this Public Hearing  
Please Contact:

Jennifer M. Perrin  
City Clerk  
Telephone: 333-6702

**NOTICE OF PUBLIC HEARING**

September 1, 1993

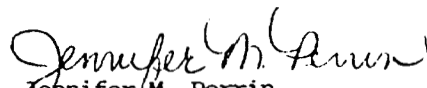
NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

- a) appeal from Marlo Kerner & Associates regarding the Planning Commission's denial of it's request to amend P-D(21), Planned Development District No. 21 (Lakeshore Village), by modifying the permitted uses to allow a restaurant with a cocktail lounge at 1750 West Kettleman Lane (APN 058-160-86).

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.


If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:

  
Jennifer M. Perrin  
City Clerk

Dated: July 21, 1993

Approved as to form:

  
Bobby W. McNatt  
City Attorney

EKERNEA

## PUBLIC HEARING LIST

Page 1 of 3

MAILING LIST FOR:	FILE #	OWNERS NAME	MAILING ADDRESS	CITY, STATE	ZIP
Rezone (Amend P.O.(21) 1750 W. Kettelman Ln -					
058-140-86		Marlene Gutierrez et al	541 S Ham Lane	Lodi	95342
-39		Thomas Luckey Constr Inc	P.O. Box 7438	Stockton	95207
-33		Lakeshore Ltd	5031 El Camino Ave	Cambridge	95608
-35		Tajir Shakila Khan	1112 Rivergate Dr.	Lodi CA	95340
-85		"	"	"	"
-21		Marion Schimke	1521 Lakeshore Dr.	"	95342
-22		Joseph E & K.M. Bewley	1515 Lakeshore	"	"
-23		Nonia R. Baxter Tr.	1509 Lakeshore	"	"
-34		Domnick & J.M. Campers	1503 Lakeshore	"	"
-40		Lakeshore Village Owners	55th 4661 Windy River	Stockton	95219
-19		Phillip A. Friedels et al	1709 Timberlake Cir.	Lodi CA	95342
-17		Raymond Carol Freeman	1721 Timberlake	"	"
-16		Herbert Frieszler Jr.	1727 Timberlake	"	"
-350-01		J.R. Properties Inc	P.O. Box 70391	Stockton	95369
-02		"	"	"	"
-03		Feather March Investments	"	"	"
-04		Feather March Investments	4568 Feather River	"	95219
-05		Charles J. Dillio et al	1830 W. Kettelman Lane	Lodi	9534
-06		"	"	"	"
-07		"	"	"	"
390-01		Sheldon Kieger et al	1816 W. Kettelman #A	"	"
-01		Joe Mel & Tony Jan	1816 W. Kettelman #B	"	"
-03		Philip & Lydia Abeldt	1816 W. Kettelman #C	"	"
-04		Sheldon Kieger et al	1816 W. Kettelman	"	"
-05		Raymond & Gay Cuenca	535 E. Riverside Dr.	Woodbridge	95353
-06		"	"	"	"
-07		"	"	"	"
400-01		Ultra Leasing Co.	P.O. Box 338	Richiesta CA	94571
-02		Lakeshore Prof Center Ltd	1806 W. Kettelman #H	Lodi	95342
-03		Kirk & Sharon Stangeland	1806 W. Kettelman #L	"	"
-04		David & Charles Nietschke	1806 W. Kettelman #D	"	"
-05		Marlene Gutierrez	541 S Ham Lane	"	"
-06		Dennis B & Lina Bruns	2823 Chauncey Dr.	Stockton	95209
-07		Ultra Leasing Co et al	P.O. Box 338	Richiesta CA	94571
-08		C.S.B. Development Inc	1806 W. Kettelman Ln #G	Lodi CA	95343
-09		D & B Sasaki Investments	1806 " "	"	"
-10		"	"	"	"

EXHIBIT B

Page 2 of 3

## PUBLIC HEARING LIST

MAILING LIST FOR:					FILE #	
AP #	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP		
058-460-11	Raymond H. & B.J. Coldani	531 S Hamilton St. E	Lodi CA	93240		
-12	Vernon & Marcia Land	1806 W. Kellenman #K	"	"		
-13	Angelo Anagnos (VO)	1019 Timberlake	"	"		
031-040-17	TRISTANA SHREVE ELAL	1671 E Hwy 12	"	"		
058-260-35	State Farm Auto Ins Co.	01 State Fair Plaza	Bloomington IN	47410		
-03	Ernest & Denise Sutherland	1512 Timberlake Cir	Lodi	93240		
-04	Roger & Judy Marasini	1518 Timberlake Cir	"	"		
-02	Abrie L. H. MS Tps	1506 Timberlake Cir	"	"		
-08	Christine Reddingen	1524 Timberlake Cir	"	"		
037-040-17	First Nazarene Church	1307 E Hwy 12	"	"		
-63	Michael M. Crute et al	1826 W. Kellenman Ln	"	"		
-64	ECF Development Assoc. Inc et al	120 W. Pleasant Ave	"	95240		
-65	Ronald D. Dunscomb et al	1/2 Mary Jo Miller 412 Buena Vista	Merced	95333		
	Marlo & Hazel Kerner	1715 Lakeshore Dr.	Lodi CA			
058-160-06	Norman W. King Jr.	1611 Lakeshore Dr.	"	95242		
-07	Curt & Beverly Gabrielson	1607 Lakeshore Dr.	"			
-08	Kevin & Duane O'Connell	1601 Lakeshore Dr.	"			
-09	Jack & Brenda Sieglack	1702 Timberlake Cir.	"			
-10	Shirley & Hal H. King	1708 "	"			
-11	Mark A. & Susan P. Puly	1714 "	"			
-12	Melvin E. & Marles Fines	1780 "	"			
-13	Louis W. & J. Correll	1726 "	"			
-14	Norman G. & Ann Carlin	1732 "	"			
-15	Thomas & Pamela Miller	1733 "	"			
-16	John B. Woodbury II	1715 "	"			
-18	Janet H. Goble	1703 "	"			
-20	Charles Jr. & H. Jennings	2390 Portland #106	Los Angeles	90007		
058-260-01	Charles F. & Michele Hegre	1530 Timberlake	Lodi CA	93242		
-06	Frank & Terri Stevenson	1536 "	"	"		
-07	Scott & Sharon Rohrbach	1542 "	"			
-08	Beverly H. Coldani	1548 "	"			
-09	John & Marie Ettecalde	1554 "	"			
-10	Robin & Faye Kieget	1560 "	"			
-11	Grant & Kathy Fawcett	1600 "	"			
-12	Norman G. & Linda Howry	1606 "	"			
-13	Douglas A. & C.R. High	1612 "	"			

← Subsequent mailing

PUBLIC HEARING LIST

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MAILING LIST FOR: Rezoning (Amend P-D(21) 1750 W. Ketheman Ln. FILE #			
AP #	OWNER'S NAME	MAILING ADDRESS	CITY, STATE ZIP
058-260-15	David & Kim Duke	1618 Timberlake	Los Angeles CA 95842
-16	HARRY K & K W Stewart	1624	" "
-17	BORBARA S. WHITE	1630	" "
-18	William A & K. A. Harris	1636	" "
-19	Rocky K & Pat O. York	1643	" "
-20	Elton & Pamela Schneider	1648	" "
-21	Thomas W & Jani Alexander	1654	" "
-22	Brad & Betty J. Galtzer	1660	" "
-23	Betty Hope T. et al	1666	" "
-24	Abdullah S. Khouddaji	1672	" "
-25	Robert & Dixie Smith	1678	" "
-26	Ronald Thill Jr.	1687	" "
-27	Earl & Patricia Stair	1659	" "
-28	Edward & DD Madamba	1653	" "
-29	Laurie & RJ Schneider	1647	" "
-30	Greg & Julie Weaver	1547	" "
-31	Earl Jr & Diana Thomas	1541	" "
-32	James V & AB Provenzano	1535	" "
-33	Neil & Ellen Freund	1523	" "
-34	Ronald W & LL Britw	1673	" "
-36	Lakeshore Village Owners Assn	4461 Winding River Dr.	Stockton 95207
-37	" "	" "	" "
-38	" "	" "	" "



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\* P E T I T I O N \*

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WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

	NAME & ADDRESS	DATE	PHONE NUMBER
1	Judy Marciadini 1518 Timberlake Cir	6/7/93	369-7948
2	Judy Marciadini 1518 Timberlake Cir	6/7/93	369-7948
3	1512 Timberlake Cir	6/7/93	334-9147
4	Denise Durkumanc 1512 Timberlake Cir	6/7/93	334-9147
5	CARLOS ALEGRE 1532 TIMBERLAKE CIR.	6/7/93	339-0951
6	Mildred Abrie	6-7/93	334-0936
7	Lawrence W. Abrie	6-7-93	334-0936
8	Christine Headington 1524 Timberlake Cir. Lodi	6-7-93	369-6058
9	MD Freund 1523		368-4767
10	Ferry Freund Timberlake		368-4767
11	Kurt D. Dyle 1618 Timberlake		368-3539
12	1536 Timberlake Cir		368-4694
13	Marcie & John Encalade		368-1220
14	1554 Timberlake Cir		11
15	Juli Weaver 1547 Timberlake Cir Lodi CA		339-8771
16	Dorrie Redding 1630 Timberlake		3398421

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\* P E T I T I O N \*

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WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

	NAME & ADDRESS	DATE	PHONE NUMBER
✓1	Joseph E. Bowley 1515 Lakeshore Drive	6-8-93	(209) 334-1767
✓2	Janet Goble 1703 Timberlake	6/8/93	209-334-1435
✓3	Jeff Cannon 1703 TIMBERLAKE	6/8/93	209-334-1435
✓4	Sinda Brier 1673 Timberlake	6-8-93	333-3366
✓5	Diana Thomas 1541 Timberlake		339-0366
✓6	Sindy Schreiner 1709 Timberlake		369-1223
✓7	Phil Ovidus 1709 Timberlake		369-1223
✓8	Care Freeman 1721 Timberlake		339-9454
✓9	Raymond Freeman	6-9-93	339-9454
✓10	Paul S. Miller 1738 Timberlake	6/9/93	333-9638
①	Carla Hitcher 1714 Timberlake Cui	6/9/93	367-4237

(810 Wightman Dr Lodi)

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\* P E T I T I O N \*

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WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

	NAME & ADDRESS	DATE	PHONE NUMBER
✓1.	1648 Timberlake Cir	6-8-93	368-4911
✓2.	Danella Schneider	6-8-93	368-4911
✓3.	Edna Burtner	6-8-93 1660 Timberlake	339-9520
✓4.	Little Boy 1660 Timberlake	6-8-93	11
✓5.	Betty Z. Hoge	6-8-93 1666 Timberlake Cir	
✓6.	Abdalla Mupariji	6-8-93	369-8310
✓7.	Saban 1660 Timberlake Cir		369-8310
✓8.	R.C. Thull 1667 Timberlake Cir	6-8-93	369-4823
✓9.	Glin M. Thull	6-8-93	11
✓10.	Pat Stairiff 1659 Timberlake	6-8-93	369-1745
✓11.	Pat Stairiff	6-8-93	369-1745
✓12.	Scott Robrbach 1542 Timberlake	6-8-93	369-7351
✓13.	Sharon Robrbach 1542 Timberlake	6-8-93	369-7351
✓14.	Michelle Ridgely 1530 Timberlake	6/8/93	339-0951
✓15.	Ron Beyer 1673 Timberlake		333-7344
✓16.	Roma R. Barten 1509 Lodi Ave		368-0592

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\* P E T I T I O N \*

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WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

NAME & ADDRESS	DATE	PHONE NUMBER
TIMOTHY W CHAMMAS 1745 CAPE COD CIR 1725 Cape Cod Circle	06/09/93	334-1754
Lain Hetschlow	6-9-93	369-0914
Scott Zindgen 1728 Cape Cod Circle	6-9-93	334-4037
Mary Henderson	6-9-93	334-6037
Mike Greenberg	6-11-93	368-1991
Marlene Chapple 1784 Cape Cod Cir	6-12-93	368-1884
James Alaster 1712 Cape Cod Circle		334 3209
Liz Jarrett 1708 Cape Cod Circle		334-9404
Frank Peterson 1736 Cape Cod Cir		369-3465
Frieda Michelson 1744 Cape Cod Cir		334-2328
Barbara Lutz 1748 C. C. C.		367-1559
Anthony L. Lucas 1752 C.C.C.		369-8726
Ernest L. Leeler 1752 Cape Cod Circle		369-8726
Ken Mettman 1768 CAPE COD CIR		368-1438
Stephanie Keir 1800 CAPE COD CIR		369-2866
Debbie Nalley 1820 Cape Cod Cir		334-1402

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\* P E T I T I O N \*

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WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

	NAME & ADDRESS	DATE	PHONE NUMBER
1	✓ SHIU Ming	6/9/93	374 6884
	✓ 1708 Timberlake Cir		
2	1628 Lakeshore Dr Loma Fina		333-1628
3	Beverly Coldani		
	1548 Timberlake Circle		369-2468
4	✓ Linda Mowery	6/9/93	
	✓ 1606 Timberlake Cir.		369-1229
5	✓ William L. Hughes		
	✓ 1636 Timberlake Circle		333-1613
6	✓ Faye Riegen	1560 Timberlake	368-9775
7	<del>1720 Timberlake</del> Mel + Marlis Finos		333-1865
8	✓ Jim PREVENZANO	1535 TIMBERLAKE CIR	368 0385
9	✓ Alexander Papadimitriou	" "	" "
10	✓ Patrick Campora	1593 Lakeshore Dr	333-8399
11	✓ [Signature]		369-8317
	1727 Timberlake		



WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

NAME & ADDRESS	DATE	PHONE NUMBER
Ronate Farkas 1814 Cape Cod	6-13-93	331-7500
Green Cranton 1716 Cape Cod Cir	6-13-93	334-9426
Karen Thornton 1757 Cape Cod Cir	6-13-93	368-7954
Wendy Weiss 1741 Cape Cod Cir	6-13-93	368-6164
Julia Buchmiller 1737 Cape Cod Cir		334-0485
Brynn Miller Buchmiller 1737 Cape Cod Cir		334-0485
Lee M. Chepple 1724 Cape Cod Cir		368-1884
Ethel Haley 1704 Cape Cod		334-9643
A.D. Fickman 1764 Cape Cod		368-7446

WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

	NAME & ADDRESS	DATE	PHONE NUMBER
✓ 1	LARRY J SCHNEIDER 16417 TIMBER LAKE CIR	6/10/93	334-4587
2	<del>John J. Schneider</del> 1647 TIMBER LAKE CIR	6-10-93	334-4587
(3)	Maidine Okwan 1718 Lakeshore Dr.		368-8676